

NIDA POLICY ON RE-CREDITING FEE-HELP BALANCE AND REMOVAL OF FEE-HELP OR VET FEE-HELP DEBT

Procedures	<p>A student can apply to have their FEE-HELP balance re-credited if the student withdraws from his or her studies after the census date and/or the student has not completed the requirements of the unit.</p> <p>The application must be made in writing within 12 months of the withdrawal date, or if the student has not withdrawn, within 12 months of the end of the period of study in which the unit was, or was to be, undertaken.</p> <p>NIDA may waive the requirement for an application to be made before the end of the application period, on the ground that it would not be, or was not possible for the application to be made before the end of that period.</p> <p>The Application Form and all supporting material is lodged with the Director, Student and Staff Services or the Head of Vocational Studies at NIDA. A student must provide independent supporting documentary evidence and demonstrate that there are special circumstances, which support the request that are:</p> <ul style="list-style-type: none">• Beyond the student's control• Do not make their full impact on the student until on, or after, the census date; and• Make it impracticable for the student to complete the requirements for the unit during the period in which the student undertook, or was to undertake the unit. <p>The Director, Student and Staff Services or the Head of Vocational Studies will be responsible for making initial decisions about the re-crediting of a student's contribution amount and the re-crediting of their FEE-HELP balance and removal of FEE-HELP or VET FEE-HELP debt. The Director, Student and Staff Services or the Head of Vocational Studies will report their determination in writing to the Director/CEO.</p> <p>The Director, Student and Staff Services or the Head of Vocational Studies will notify the student, within two weeks of the decision, the reasons for making the decision and advise the student of their rights for a review of the decision if the student is unsatisfied with the outcome.</p> <p>If the decision is made to re-credit the FEE-HELP balance, NIDA will notify the Department of Education through the HELP Variations File. NIDA will repay to the Commonwealth any FEE-</p>
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	<p>HELP or VET FEE-HELP assistance NIDA received from it on the student's behalf. The Department of Education will inform the Australian Taxation Office, who administers FEE-HELP, that the debt has been removed.</p>
<p>Review of a decision</p>	<p>A student has the right to apply to the Director/CEO for a review of a decision not to re-credit the student's FEE-HELP balance. The Director/CEO will not have been involved in making the original decision and the Director/CEO is senior to the original decision makers.</p> <p>The time limit for applying for a review of a decision is 28 days from the student receiving notice of the decision. The student must state the reasons why he or she is applying for a review.</p> <p>Upon receipt of the Application for Review the Director/CEO will review any decisions regarding re-crediting of the student contribution amount or the re-crediting of their FEE-HELP balance and removal of FEE-HELP or VET FEE-HELP debts.</p> <p>The Director/CEO will:</p> <ul style="list-style-type: none"> • Acknowledge receipt of the application for review of a decision in writing within two weeks; inform the student that the Director/CEO will advise the student in writing of the outcome of the review and the reason for the decision; and inform the student that, if the Director/CEO has not advised the student of a decision within 45 days of receiving the application for review, the Director/CEO is taken to have confirmed the original decision • Inform the student of his or her right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the Director/CEO's decision if the student is unsatisfied with the outcome • Provide the student with the contact details and address of the nearest AAT. • Upon notification that an appeal has been lodged, NIDA will forward all original documentation relevant to the appeal to the Department of Education within 5 business days.
<p>The Administrative Appeals Tribunal (AAT)</p>	<p>A student may make an application to the AAT for a reconsideration of NIDA's decision to refuse to re-credit a person's FEE-HELP balance and may supply additional information to the AAT, which he or she did not previously supply to NIDA.</p> <p>Upon written notification from the Department of Education that an appeal has been lodged, NIDA will provide the Department of Education within a further 5 business days all original documentation relevant to the appeal.</p> <p>The Secretary of the Department of Education or the Commonwealth Government department which has the</p>

	responsibility for administering the Higher Education Support Act 2003, (the Department) or the Secretary's delegate will be the respondent for cases that are brought before the AAT.
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